

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NOS. 1:09-CV-00239-W
1:09-CV-440**

**BRIAN E. ROOT, PHILIP SCHUB,)
DIANE DESMOND, ROBERT E. MOREY,)
MARIETA MOREY, THOMAS M.)
SCHUETT, RUTH A. SCHUETT, DAVID)
L. SEEKINS, SHARON E. SEEKINS, and)
THOMAS E. FINNERAN,)**

Plaintiffs,

v.

**GENERATIONS LAND COMPANIES,)
LLC, TERRY SETZER, LEE SETZER,)
BRENT MILLER, WACHOVIA BANK,)
N.A., UNITED COMMUNITY BANK)
(Georgia), BLUE RIDGE APPRAISERS,)
JUDY CLARK, NANCY DECKER,)
MOUNTAIN MEADOW PROPERTIES)
AND APPRAISALS, BRANDON SPEAKS,)
BAKER APPRAISAL SERVICES, INC.,)
JOHN BAKER BLOWING ROCK)
APPRAISAL COMPANY, and DAVID G.)
CLYDE,)**

Defendants.

ORDER

THIS MATTER is before the Court on the Consent Motion to Consolidate and to Modify the Case Management Order (Doc. No. 152). For the reasons stated in the unopposed motion and pursuant to Rule 42 of the Federal Rules of Civil Procedure, the motion is GRANTED and the two matters (1:09-cv-239; 1:09-cv-440) shall be consolidated into the earlier-filed case 1:09-cv-239. All previously entered orders in 1:09-cv-239 shall govern this case (including this Court's standing orders), and counsel should review those accordingly.

For the reasons stated in the consent motion, the Pretrial Order and Case Management Plan (Doc. No. 146) shall be modified to reflect the following new deadlines¹ (all other portions, including the substantive portions contained therein shall remain the same):

DEADLINES AT A GLANCE

Expert Reports:

Party w/ Burden of Proof September 29, 2010

Opposition October 27, 2010

Rebuttal November 29, 2010

Discovery Completion: December 13, 2010

ADR: December 18, 2010

Dispositive Motions (filed): January 10, 2011

Dispositive Motions (hearing): Week of April 4-8, 2011

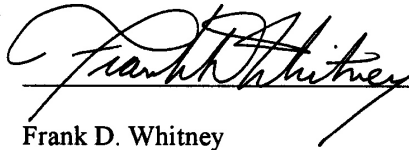
Pretrial Submissions: 7 calendar days before FPC

Final Pretrial Conference (FPC): Week of April 25-29, 2011

Trial Setting: Term beginning May 9, 2011

IT IS SO ORDERED.

Signed: July 26, 2010



Frank D. Whitney
United States District Judge



¹The hearing, conference, and trial dates proposed by the parties in their motion did not correspond to the Court's scheduled court calendar as set by the Clerk's office. See 3:07-mc-47 (Doc. No. 1). The Court has therefore adjusted those dates accordingly.